

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID BURGESS,

Defendant.

**8:13CR253**

**ORDER**

Defendant David Burgess appeared before the court on August 15, 2018, on a Petition for Offender Under Supervision [91]. Defendant was represented by Assistant Federal Public Defender Julie B. Hansen, and the United States was represented by Assistant U.S. Attorney Martin J. Conboy, IV. Defendant waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(b)(1)(A). The government moved for detention, and a detention hearing was held. Defendant has failed to meet his burden to establish by clear and convincing evidence that he will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1).

I find that the Petition [91] alleges probable cause and that Defendant should be held to answer for a final dispositional hearing before Chief Judge Smith Camp.

**IT IS ORDERED:**

1. A final dispositional hearing will be held before Chief Judge Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on October 4, 2018, at 2:00 p.m. Defendant must be present in person.

2. Defendant David Burgess, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 15th day of August, 2018.

BY THE COURT:

s/ F.A. Gossett  
United States Magistrate Judge